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## **REMARKS**

### **Rejection under §102(a)**

The Stimpson patent does not anticipate the claimed invention. For example, Stimpson does not disclose “structural members each of which has a lumen therethrough which is continuously enclosed thereby.” Compare, e.g., all the pending independent claims. The rod elements disclosed by Stimpson (e.g., Stimpson, Figs. 1A-C) are described, as the examiner states, as “porous rods” or “porous sheets” (e.g., Column 3, lines 40), and are repeatedly characterized as being formed from *porous* materials. See, e.g., Column 3, lines 48-56; Column 10, lines 16-57; Column 12, lines 13-14. The “hollow fiber membranes” referred to on Column 4, lines 1-3 are for the purpose of producing the porous materials. The terms “porous” (or “microporous”) is not defined in the Stimpson patent. Its ordinary and customary meaning, and its meaning in the Stimpson patent is thus, as set forth in the dictionary, e.g., “full of or having pores” or “admitting the passage of gas or liquid through pores or interstices,” where a pore is “a minute opening ...” or “a “space ...” See, The American Heritage College Dictionary, 3<sup>rd</sup> edition, 1997 (attached). The terms are not further defined in the Stimpson patent. Thus, clearly, a rod element made of a porous material does not have a “lumen therethrough which is *continuously* enclosed” by the structural member. To the contrary, it is comprised of material having discrete and *interrupted* spaces. For at least this reason, the cited patent does not disclose each and every element of the claims, and therefore the rejection should be withdrawn.

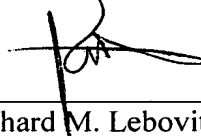
### **Rejection under §103**

The Pinkel patent does not supplement the deficiency in Stimpson (see, above). As stated throughout (e.g., see its “Summary of the Invention”), Pinkel’s method involves attaching binding partners to only the *ends* of a sensor optical fiber. See, e.g., Column 3, lines 37-38; Column 4, lines 14-20; Column 5, lines 5-12. There is clearly no disclosure or suggestion of structural members (e.g., optical fibers), each of which has a lumen therethrough which is

continuously enclosed by the structural member. See, e.g., Pinkel patent, Column 7, lines 15-17. Moreover, the array members ("binding partners") disclosed in the Pinkel patent are attached only to the optical fiber ends, and are not "disposed within a separate lumen of a structural member." Indeed, such a coated or filled lumen does not even exist in Pinkel's fibers, nor could it exist because Pinkel requires a *solid end* for the attachment of the binding partners. See, e.g., Column 10, lines 13-18. Compare, e.g., all the pending independent claims. Thus, there is no suggestion in Pinkel to modify Stimpson, or vice-versa, to have arrived at the claimed invention. Consequently, the rejection should be withdrawn.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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Attorney Docket No.: LAMILL-2

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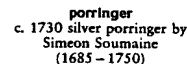


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porcupine fish  
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ā pay	ou out
ār care	ōō took
ā father	ōō boot
ē pet	ū cut
ē be	ūr urge
ī pit	th thin
ī ple	th this
īr pler	hw which
ō pot	zh vision
ō toe	ə about,
ō paw	item

Stress marks:  
' (primary);  
' (secondary), as in  
dictionary (dīk' shə-něr'ě)

**por•tend** (pôr-tënd', pŏr-) *tr.v.* -tend•ed, -tend•ing, -tends.